

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

FARAH AKHTAR DBA ABC MONTESSORI, LLC, SP 2014-LE-258 Appl. under Sect(s). 3-103 and 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 7420 Beulah St., Alexandria, 22315, on approx. 1.50 ac. of land zoned R-1. Lee District. Tax Map 91-3 ((1)) 23 A. Mr. Beard moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 24, 2015; and

WHEREAS, the Board has made the following findings of fact:

1. The applicants are the owners of the land.
2. The present zoning is R-1.
3. The area of the property is 1.5 acres.
4. The applicant has read, understands, and concurs with the proposed development conditions.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Farah Akhtar, only, and is not transferable without further action of the Board, and is for the location indicated on the application, 7420 Beulah Street, and is not transferable to other land.
2. This special permit is granted only for the home child care use indicated on the titled, "Final House Location Survey, Property of Syed Tasneem Akhtar and Farah Akhtar," prepared by Fred Kendall Price, Land Surveyor, on June 6, 2014, as revised by Farah Akhtar through December 16, 2014, and approved with this application, as qualified by these development conditions.
3. A copy of this Special Permit shall be posted in a conspicuous place on the property and be made available to all departments of the County of Fairfax during hours of operation.

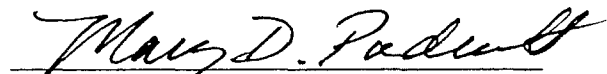
4. The hours of operation of the home child care facility shall be limited to 7:30 a.m. to 5:30 p.m., Monday through Friday.
5. The applicant shall amend her state-issued family day home license to make the approved hours of operation consistent with the hours of operation in Development Condition 4.
6. The dwelling that contains the child care facility shall be the primary residence of the applicant.
7. Excluding the applicant's own children, the maximum number of children on site at any one time shall be twelve (12). The applicant shall continue to operate a day care for seven (7) children until such time as she has her state license amended to allow for twelve (12) as provided herein.
8. A maximum of two nonresident employees, whether paid or not for their services, may be involved in the home child care facility, limited to the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday.
9. All pick-up and drop-off of children shall take place within the driveway.
10. There shall be no signage associated with the home child care facility.
11. Any portions of the dwelling associated with the home child care facility that are used as a children's sleeping area shall be located in a room with proper emergency egress as defined by the Virginia Uniform Statewide Building Code.
12. The approval of the use is contingent upon maintenance of a state-issued family day home license that permits the number of children being cared for at the home child care facility.
13. The child care facility shall be operated in accordance with Chapter 30 of the County Code, entitled "Minimum Private School and Child Care Facility Standards".

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall take effect upon adoption of a resolution of approval by the Board of Zoning Appeals.

Ms. Theodore seconded the motion, which carried by a vote of 6-0. Mr. Smith was absent from the meeting.

A Copy Teste:

A handwritten signature in cursive script, reading "Mary D. Padrutt", written over a horizontal line.

Mary D. Padrutt, Deputy Clerk
Board of Zoning Appeals